

Appeal Decision

Site visit made on 30 May 2017

by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22nd June 2017.

Appeal Ref: APP/W0340/D/17/3172884

Castle View, Station Road, Speen, Newbury RG14 1RD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs G Loakeimidis against the decision of West Berkshire Council.
 - The application Ref 16/03201/HOUSE, which the Council and the appellant both confirm was made on 15 November 2016, was refused by notice dated 9 January 2017.
 - The development proposed is erection of double garage with ancillary accommodation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Speen Conservation Area.

Reasons

Character and appearance

3. The appeal site is located within the Speen Conservation Area (the CA). It is a residential area with properties of a range of character and types. The appeal property and the neighbouring dwellings either side are set back from the road with a broadly consistent building line with hedging on the front boundaries. Buildings are not present between the frontages of the properties and the highway and this arrangement has resulted in a sense of space which is apparent despite the boundary treatments that exist to the front of the properties. This is an important characteristic of this part of the CA.
 4. The proposed garage building would be set close to the road. It would harmfully interrupt the openness and disrupt the continuity of the building line to the front of the house and its adjoining neighbours. The garage would be masked to a degree by the existing hedge and it would not have a pitched roof. It would nevertheless be strident in views of the front of the property through the existing access and the long term retention of the hedge cannot be guaranteed. The development would be appreciably at odds with the pattern of development on this side of the road, and so it would constitute an incongruous element that detracted unacceptably from the character and appearance of the CA. There would be a large area of front garden not covered by buildings but this would not mitigate this harmful effect.
 5. Elsewhere, in the wider area, garages and other outbuildings sit close to the road, including a building opposite the site. However those examples are not
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located in a comparable setting where a consistent set back with other neighbouring properties exists. The outbuilding opposite the appeal site sits broadly in line with the side of the adjoining property that fronts onto Bath Road. These other examples do not therefore persuade me that the proposed development is acceptable. Caravans stored in neighbouring front gardens, are not permanent structures and do not have the same impact as the appeal scheme would. These also do not persuade me that the appeal scheme is acceptable.

6. The garage would be constructed from materials that are appropriate to the character of the host property. The appeal property has been altered and incorporates accommodation in the roof space. There is a variety of designs to the dwellings in the area and the neighbouring dwellings have significant areas of hard standing to the front of the properties. It appears that the appeal site is located on the edge of the CA and that no Conservation Area Appraisal has been prepared by the Council. These factors do not however diminish the importance of the setback or minimise the harm that would arise to the CA from the development.
7. Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of conservation areas. This is a matter of considerable importance and weight. The garage would be seen from a small section of the CA and consequently the extent of the harm to the heritage asset is "less than substantial" in the terms of the National Planning Policy Framework (the Framework). However, while some private benefits for the appellants would arise, no substantive public benefits have been put forward to weigh against this harm.
8. For these reasons I conclude that the proposal would not preserve or enhance the character or appearance of the CA. As such it would be contrary to Policies CS14 and CS19 of the West Berkshire Local Plan, Core Strategy 2006-2026 (the CS) including some of the specific criteria within these policies. These Policies seek to ensure that development conserves heritage assets and respects and enhances the character and appearance of the area including in terms of its location. Policy CS14 requires development be informed by the wider context, not just having regard to the immediate area. Although there is a variety of building lines in the wider area the building line and set back at the appeal site is a significant and positive feature. Breaching this would not conform to the overarching aim of the Policy to ensure that development respects the character of the area. This policy is also a general design policy rather than one that specifically deals with conservation areas.
9. The development is also contrary to the Council's House Extensions Supplementary Planning Guidance (July 2004) and Design Quality Supplementary Planning Document, Part 1, Achieving Design Quality (June 2006) which have similar aims to the above policies. The former advises that where there is a well defined building line, as is the case with the appeal dwelling and its adjoining neighbours, a garage that extends forward of this may appear incongruous. The proposal also runs counter to the thrust of the Framework's aims to conserve heritage assets.
10. The policies are consistent with the Framework which emphasises that it is proper to reinforce local distinctiveness and that great weight should be given

to the conservation of heritage assets. The harm to the character and appearance of the CA is such that the proposal would not meet the environmental role of sustainable development. The Framework requires that planning decisions do not impose particular styles, or tastes, or stifle innovation. However the harm in this case arises from the location of the garage and the consequent harm to the CA and is not due to a particular architectural style.

11. The garage would be located adjacent to the front boundary hedge. However there would be some separation from it. The Council has not provided any substantive evidence to show that that harm is likely to arise and indicate that further details could overcome the concerns. I am satisfied that with appropriate construction methods, which could be controlled by condition, the garage could be erected without undue harm to the hedge or consequent harm to the character and appearance of the CA. Therefore I find no conflict with Policy CS18 of the CS which seeks to protect green infrastructure. This is a neutral factor in the planning balance.

Other matters

12. The site is located in an area where residential development, as a matter of principle, accords with the Council's strategic policies. There would be no effect on the living conditions of neighbouring residents and I note no objections to the scheme were made in this regard. The garage would be partially constructed over an area of existing tarmac and adequate garden land and suitable parking and access to the site would also be retained. These factors indicate a lack of harm in their particular respects but do not weigh in favour of the development.
13. It appears that, in the past, planning permission was granted for a garage to be constructed to the front of the neighbouring Byways. It was clear from my site visit that it has not been erected and the appellant acknowledges this. I have also not been provided with any details of that scheme. I therefore give this factor very limited weight. Previously the appeal dwelling benefited from a side garage which has now been converted to living accommodation, I have considered the proposal on its own merits and this is not a decisive factor.

Conclusion

14. The adverse effects of the development are sufficient to mean that the proposal would conflict with the development plan when taken as a whole. The benefits to the appellant from the provision of secure parking and storage, and the historic approval for a garage on the neighbouring site do not outweigh this harm. For the reasons given above I conclude that the appeal should be dismissed.

K Taylor
INSPECTOR